

CHIEF JUDGE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	No. CR19-141-RSM
)	
Plaintiff,)	
)	UNOPPOSED MOTION TO
v.)	CONTINUE TRIAL AND
)	PRETRIAL MOTIONS DEADLINE
RAJNINDER JUTLA,)	
)	Noted May 5, 2022
Defendant.)	

Rajninder Jutla, through Assistant Federal Public Defender Dennis Carroll, respectfully requests a continuance of the trial date to May 8, 2023, with the following scheduling order.

EVENT	DATE ORDERED
Government's notice of intent to admit evidence pursuant to Fed. R. Evid. 404(b)	January 5, 2023
Government's Expert Notice	January 5, 2023
Defense Expert Notice	February 6, 2023
Pretrial Motions	February 8, 2023
Government's filing of witness list and exhibit lists (case-in-chief)	March 15, 2023
Defendants' filing of witness list and exhibit lists	March 29, 2023
Government Circulate Draft Jury Instructions, Verdict Form, Voir Dire	March 29, 2023

1	Defense Response to Draft Jury Instructions, Verdict Form, Voir Dire	April 5, 2023
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3	Motions in <i>in limine</i>	April 5, 2023
4	File Jury Instructions, Verdict Form, Voir Dire	April 12, 2023
5	Trial Brief	April 29, 2023
6	Trial	May 8, 2023

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8 Assistant United States Attorney Thomas Woods does not oppose this motion.

9 Dr. Jutla is charged by a twenty-count superseding indictment; the summary of
10 the allegations are set forth in the superseding indictment. Dkt. 25. On September 6,
11 2019, Dr. Jutla appeared for the arraignment hearing and entered a plea of not guilty to
12 the counts in the superseding indictment. Dkt. 35. At this time, the trial in this case is
13 set for July 25, 2022. Dkt. 66.

14 On March 10, 2022, the undersigned counsel was appointed to represent Dr.
15 Jutla. Defense counsel is requesting a continuance of the trial date to allow counsel
16 sufficient time to prepare for trial. Specifically, the discovery is extremely voluminous
17 and counsel needs sufficient time to review discovery with the defendant, conduct legal
18 research, prepare for pre-trial motions, and prepare for trial. The Government has
19 produced 1,000,000 pages of discovery. In addition, there are numerous electronic
20 devices that have been seized and copied. This case is related to *United States v. Babich*
21 *et al.*, 16-cr-10343-ADB (Dist. of Massachusetts), in which the trial took several weeks.
22 The trial record alone in that case is extremely voluminous and only parts of the *Babich*
23 case in included in the already-produced discovery in this case. The charges against Dr.
24 Jutla involve two separate kickback schemes involving two different companies, which
25 adds to the complexity and scope of discovery.

26 For these reasons, the parties request the Court find that:

1 (a) taking into account the exercise of due diligence, a failure to grant a
2 continuance would deny counsel for the defendant the reasonable time necessary for
3 effective preparation, due to counsel's need for more time to review the evidence,
4 consider possible defenses, and gather evidence material to the defense, as set forth in
5 18 U.S.C. § 3161(h)(7)(B)(iv); and

6 (b) a failure to grant a continuance would likely result in a miscarriage of justice,
7 as set forth in 18 U.S.C. § 3161(h)(7)(B)(i);

8 (c) this discovery and issues in this case are so complex that it is unreasonable to
9 expect adequate preparation for pretrial proceedings or for the trial itself within the time
10 limits established by the Speedy Trial Act, as set forth in 18 U.S.C. § 3161(h)(7)(B)(ii);

11 (d) the additional time requested is a reasonable period of delay, as the defendant
12 has requested more time to prepare for trial, to investigate the matter, to gather evidence
13 material to the defense, and to consider possible defenses; and

14 (e) the ends of justice will best be served by a continuance, and the ends of
15 justice outweigh the best interests of the public and the defendant in any speedier trial,
16 as set forth in 18 U.S.C. § 3161(h)(7)(A); and

17 (f) the additional time requested between the current trial date of July 25, 2022,
18 and the new trial date is necessary to provide counsel for the defendant reasonable time
19 to prepare for trial considering counsel's schedule and all of the facts set forth above.

20 Dr. Jutla has executed a speedy trial waiver, which will be filed with this motion.

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1 Therefore, counsel respectfully requests a continuance of the trial date to May 8,
2 2023 with a scheduling order outline above. Counsel further asks the Court to exclude
3 the time period from the date of the Court's order to the new trial date for purposes of
4 computing the time limitations imposed by the Speedy Trial Act.

5 DATED this 5th day of May 2022.

6 Respectfully submitted,

7 *s/ Dennis Carroll*

8 Assistant Federal Public Defender

9 Attorney for Rajninder Jutla